

MONTANA LEGISLATIVE HISTORY

Chapter 14 1981

Bill H 255 S _____ Original bill & history C

H. Committee on Highway

Hearing Date(s) 1-22 ☒ C

_____ C

_____ C

_____ C

Date Out _____ C

S. Committee on Highway

Hearing Date(s) 2-5 ☒ C

_____ C

_____ C

_____ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

253--KROPP--TO ALLOW THE OPERATORS OF POLICE AND AUTHORIZED EMERGENCY VEHICLES DISCRETION IN THE USE OF AUDIBLE OR VISUAL SIGNALS....
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON HIGHWAYS: 1/15
HEARING: 1/22
REPORT: DO PASS, 1/22
2ND READING: 1/22 YEAS: 93; NAYS: 1
3RD READING: 1/28 YEAS: 95; NAYS: 2

TRANSMITTED TO SENATE: 1/28
REFERRED TO COMMITTEE ON HIGHWAYS AND TRANSPORTATION: 1/29
HEARING: 2/5
REPORT: 2/6, BE CONCURRED IN
2ND READING: 2/9, DO PASS
3RD READING: 2/11, YEAS: 48; NAYS: 1

RETURNED TO HOUSE: 2/11
TRANSMITTED TO GOVERNOR: 2/16
ACTION: SIGNED, 2/18
CHAPTER 11

254--KROPP--TO CLARIFY THE ACTIONS TO BE TAKEN TO REMOVE UNATTENDED VEHICLE FROM A ROADWAY.
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON HIGHWAYS: 1/15
HEARING: 1/22
REPORT: DO PASS, 1/22
2ND READING: 1/27 YEAS: 95; NAYS: 1
3RD READING: 1/28 YEAS: 94; NAYS: 1

TRANSMITTED TO SENATE: 1/28
REFERRED TO COMMITTEE ON JUDICIARY: 1/29
HEARING: 3/4
REPORT: 3/4, BE CONCURRED IN
2ND READING: 3/6, BE CONCURRED IN
3RD READING: 3/9, YEAS: 40; NAYS: 4

RETURNED TO HOUSE: 3/9
TRANSMITTED TO GOVERNOR: 3/14
ACTION: SIGNED, 3/17
CHAPTER 71

255--KROPP--TO PROVIDE FOR AN INCREASED TURN SIGNALING DISTANCE OUTSIDE BUSINESS, RESIDENTIAL, OR URBAN DISTRICTS.
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON HIGHWAYS: 1/15
HEARING: 1/22
REPORT: DO PASS AS AMENDED, 1/22
2ND READING: 1/28 YEAS: 93; NAYS: 0
3RD READING: 1/31 YEAS: 93; NAYS: 0

TRANSMITTED TO SENATE: 1/31
REFERRED TO COMMITTEE ON HIGHWAYS AND TRANSPORTATION: 1/31
HEARING: 2/5
REPORT: 2/6, BE CONCURRED IN
2ND READING: 2/9, DO PASS
3RD READING: 2/11, YEAS: 48; NAYS: 1

RETURNED TO HOUSE WITH AMENDMENTS: 2/11
2ND READING: 2/13 YEAS: 91; NAYS: 0

3RD READING: 2/14 YEAS: 91; NAYS: 0

TRANSMITTED TO GOVERNOR: 2/17
ACTION: SIGNED, 2/20
CHAPTER 14

256--VINGER, FEPA, CONROY, ET AL--INCREASING CERTAIN LIMITS OF DISCRETIONARY AUTHORITY OF COUNTY OFFICIALS TO ACT IN FISCAL MATTERS IN ORDER TO ADJUST FOR INFLATION.
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 1/15
HEARING: 1/27
REPORT: DO PASS, 1/27
2ND READING: 1/30 AS AMENDED, YEAS: 84; NAYS: 7
3RD READING: 2/3 YEAS: 93; NAYS: 5

TRANSMITTED TO SENATE: 2/3
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 2/4
HEARING: 3/5
REPORT: 3/6, BE CONCURRED IN
2ND READING: 3/9, YEAS: 21; NAYS: 18
SEGREGATED: 3/9
2ND READING: 3/10, YEAS: 38; NAYS: 9
3RD READING: 3/12, YEAS: 41; NAYS: 9

RETURNED TO HOUSE: 3/12
TRANSMITTED TO GOVERNOR: 3/18
ACTION: SIGNED, 3/23
CHAPTER 134

257--WALLIN, SCHULTZ, KITSELMAN, ET AL--TO PROVIDE AN EXCEPTION FROM EXAMINATION FOR MECHANICAL BREAKDOWN INSURANCE AGENTS.
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON BUSINESS AND INDUSTRY: 1/15
HEARING: 1/27
REPORT: DO PASS, 1/27
2ND READING: 1/30 YEAS: 87; NAYS: 1
3RD READING: 2/3 YEAS: 98; NAYS: 0

TRANSMITTED TO SENATE: 2/3
REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY: 2/4
HEARING: 3/17
REPORT: 3/18, BE CONCURRED IN
2ND READING: 3/20, BE CONCURRED IN
3RD READING: 3/23, YEAS: 49; NAYS: 0

RETURNED TO HOUSE: 3/23
TRANSMITTED TO GOVERNOR: 3/27
ACTION: SIGNED, 3/31
CHAPTER 211

258--HEMSTAD, MARKS, COWN, ET AL--TO ESTABLISH A WORK EXPERIENCE AND TRAINING PROGRAM TO PROVIDE RECIPIENTS OF AFDC PAYMENTS AN OPPORTUNITY TO CONTRIBUTE THEIR EFFORTS TO SOCIETY....
FISCAL NOTE: REQUIRED
INTRODUCED: 1/15
REFERRED TO COMMITTEE ON HUMAN SERVICES: 1/15
HEARING: 1/26
REPORT: DO PASS AS AMENDED, 2/20
2ND READING: 2/23 ON MOTION, PASSED FOR THE DAY.

HIGHWAYS AND
TRANSPORTATION COMMITTEE

47th Legislature

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Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
255	To provide for an increased turn signaling distance outside business, residential, or urban districts;	1/15/81	Kropp	1/22/81	AS AMENDED DO PASS	1/22/81
299	To exempt a person receiving a permit for the movement of agricultural products from single trip permit fees;	1/16/81	Shontz	1/27/81	AS AMENDED DO PASS	2/12/81
320	To authorize Department of Hiways to adopt rules relating to size, weight, and load provisions.	1/19/81	Kropp	1/27/81	DO PASS STATEMENT OF INTENT INCLUDED	2/17/81
322	To permit the apportionment of highway funds based on the amount available for obligation...	1/19/81	Meyer	1/27/81	DO PASS CONSENT CALENDAR	1/29/81
331	To permit the Department of Highways or a local road authority to impose speed restrictions...	1/19/81	Kanduch	1/27/81	DO PASS	1/27/81
384	An act to prohibit the use by governmental entities of chlorides as deicing agents on paved public highways,...	1/20/81	Pistoria	1/29/81	DO NOT PASS	2/12/81

it is not a problem.

REP. KROPP closed the bill saying it is designed for the protection of the travelling public and that it should be passed.

VICE-CHAIRMAN MEYER opened to a hearing on HOUSE BILL 255.

HOUSE BILL 255 REP. PAUL KROPP, sponsor, presented this bill which provides for an increased turn signaling distance outside business, residential, or urban districts.

CAPTAIN WALT MILLER of the Montana Highway Patrol spoke as a proponent of HB 255. He said the current law provides for a 100-foot continuous signal before turning. The same law applies on the highway. He feels too short a signal can cause a problem. At 55 mph a car travels 82 feet a second. At the same speed, the stopping distance is about 200 feet. He would like to see the distance changed to 500 feet to give more warning.

There were no OPPONENTS.

Under questions from the committee, REP. FABREGA asked if it was necessary to change the law in order to put this in the driver's manual. CAPTAIN MILLER said yes. Also said the Patrol would give the law plenty of publicity before starting to enforce it.

REP. BRAND asked if the 500 feet conforms to laws of other states. CAPTAIN MILLER said he did not know.

REP. KROPP closed on the bill saying this bill addresses avoiding accidents.

EXECUTIVE SESSION HOUSE BILL 253 REP. STOBIE moved that HB 253 receive a DO PASS. Seconded by REP. ZABROCKI and PASSED UNANIMOUSLY.

HOUSE BILL 254 REP. FABREGA moved the committee adopt an amendment which would change line 23 on page 1 to read "serious" obstruction. Seconded by REP. WALLIN. Discussion included what would have to be included as serious. REP. ZABROCKI said 48-hours should be included. GREG PETESCH, staff attorney, replied that the law already reads 48-hours.

Question called on the amendment. MOTION TO AMEND FAILED.

REP. BRAND felt the Patrol hadn't proven there is a problem. Others felt there is a problem but simply that exact figures are not available. There was concern that towing would be done unnecessarily. REP. IVERSON felt the Patrol did not abuse their authority.

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Motion to DO PASS passed with REPS. BRAND and ZABROCKI opposing.

HOUSE BILL 255 REP. FABREGA moved to pass. Seconded by REP.
IVERSON.

REP. FABREGA said he wanted to see the bill amended to read "300" instead of "500" feet. REP. STOBIE moved that line 4 on page 2 be amended to read "300" feet. REP. FABREGA seconded and it PASSED UNANIMOUSLY.

REP. BRAND expressed his concern as to what other states do so we can conform to them. REP. FABREGA thought maybe this time Montana could be the leader.

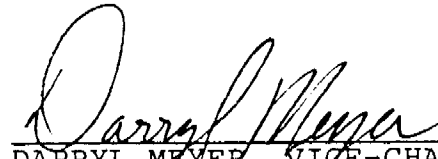
HOUSE BILL 255 PASSED AS AMENDED.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,



PAUL KROPP, CHAIRMAN



DARRYL MEYER, VICE-CHAIRMAN

Ellen Engstedt, Secretary

HOUSE BILLSCOMMITTEE ON HIGHWAYS & TRANSPORTATION

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
HB 47	1/19/81	1/22/81	2/3/81					1/22/81 & 2/3/81	
HB 253	1/29/81	2/5/81	2/5/81				2/5/81		
HB 255	1/31/81	2/5/81	2/5/81					2/5/81	
HB 287	2/3/81	2/10/81	2/10/81				2/10/81		
HB 299	2/20/81	3/5/81	3/12/81					3/12/81	
HB 320	3/2/81	3/12/81	3/12/81						3/12/81
HB 322	2/4/81	2/12/81	2/12/81				2/12/81		
HB 331	2/5/81	3/3/81	3/3/81				3/3/81		
HB 421	2/7/81	3/7/81	3/7/81				3/7/81		
HB 440	2/19/81	3/3/81							
HB 502	2/17/81	3/10/81	3/10/81					3/10/81	
HB 522	2/12/81	3/5/81	3/12/81				3/12/81		
HB 547	2/13/81	3/12/81	3/12/81				3/12/81		
HB 595	3/2/81	3/14/81							
HB 748	3/2/81	3/17/81	3/17/81				3/17/81		
HB 749	3/2/81	3/17/81	3/17/81				3/17/81		

Use a separate sheet for Senate, House Bills, and Resolutions.

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Senator Etchart asked if there were any more proponents to HB253.

R. A. Ellis, Montana State Volunteer Fireman's Association told the committee he supports the bill.

Senator Etchart asked if there were any more proponents to HB253. There were none.

Senator Etchart asked if there were any opponents to HB 253. There were none.

Senator Etchart asked if there were any questions from the committee.

Senator Manning asked Captain Miller if other states have this law, and what the history on the law is.

Captain Miller said that he is not sure if other states have this. He further stated he is not sure about the history and what policies other states have had.

Senator Manning told him he thought the bill makes a lot of sense, but was wondering if Montana would be the first State to have this law.

Captain Miller made the comment that the Highway Patrol is not always sure what the reaction of the public will be to the siren. The red light is a visible means of warning. Now, to meet the requirements of the law, we must be giving both visual and audio in pursuit. We use the siren as a warning and to get attention.

Senator Etchart asked if there were any further questions. There were none. Senator Etchart asked Representative Kropp if he would like to close.

Representative Kropp told the committee he is a member of the Phillips County Ambulance Board and at different times we have had problems with the doctors because of the blaring sirens coming into the hospital at all hours of the night. I urge you pass this bill.

The hearing on HB253 was closed.

CONSIDERATION OF HOUSE BILL NO. 255:

Representative Kropp, District 5, told the committee this is an act to provide for an increased turn signaling distance outside business, residential, or urban districts. This amendment of section 61-8-336 simply increases the distance which drivers are required to signal to 300 feet in rural areas. The need

for this increase should be apparent as a vehicle traveling at 55 MPH covers 82½ feet per second. Under the existing requirement of signaling for 100 feet the oncoming driver would, if he was lucky, see perhaps one blink of the signal. The highway patrol indicates that this is a large factor in rural accidents which involve turns into driveways or cross-roads.

I researched the turn signal laws of the other states, and most states require a signal to be given for a minimum of 100 feet; the exceptions are:

- Alaska - 100 feet under 35 mph, 300 feet over 35 mph
- California - 100 feet (driver's manual recommends signal for 5 second at highway speeds)
- Colorado - Urban and metropolitan areas 100 feet, elsewhere over 40 mph 200 feet
- Illinois - 100 feet urban, 200 feet rural
- Indiana - 200 feet under 50 mph, 300 feet over 50 mph
- Iowa - 100 feet under 45 mph, 300 feet over 45 mph
- Nebraska - 500 feet on Interstate highways, elsewhere 50 feet.
- North Carolina - 100 feet under 45 mph, 200 feet over 45 mph.

He introduced Captain Miller from the Highway Patrol.

Captain Miller, Highway Patrol told the committee that the Highway Patrol supports this bill. We feel that the 100 feet signaling distance is not sufficient on highway speeds. We feel that the extended distance of signaling would give a little more protection and more warning.

Senator Etchart asked if there were any other proponents. There were none.

Senator Etchart asked if there were any opponents. There were none.

Senator Etchart asked if the committee had any questions.

Senator Graham asked why the distance was changed from 500 feet to 300 feet.

Captain Miller told the committee the House cut the distance down to 300, they felt 500 was too much.

Senator Graham asked what the distance is according to the law, today.

Captain Miller said 100 feet.

Senator Tveit asked Representative Kropp why it was amended down.

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Representative Kropp told the committee the House Highway and Transportation Committee felt 500 feet was a little to far. So, it was amended to 300 feet.

Senator Tveit replied, at least it would be three times as far.

Senator Hazelbaker asked if this applied to lane changes?

Captain Miller replied yes, turn signal is required in lane changes.

Senator Hager asked if this applied to rural roads?

Captain Miller said yes. In town, it would be 100 feet.

Senator Healy asked Captain Miller how they were going to inform the public about this change in the law.

Captain Miller said they planned to advertise and educate the public over a length of time. At first they would not be giving tickets, just warning's.

Senator Etchart asked if there were any further questions. There were none. He asked Representative Kropp if he would like to close.

Representative Kropp said he thought this was a good bill. There have been a lot of bad accidents in my area, especially left hand turns off the road. I think signaling at a longer distance would sure be a big help.

There being no further testimony or questions, the hearing on SB 255 was closed.

CONSIDERATION OF SENATE BILL NO. 304:

Senator Hazelbaker, District 41, chief sponsor of SB304 told the committee this is an act to delete the provisions for truck and trailer demonstration permits and to clarify the exemption for vehicles displaying a licensed dealer's plate.

He told the committee Senate Bill No. 304 was introduced at the request of the Department of Highways and its purpose is to repeal the provisions for truck and trailer demonstration permits and to clarify the exemption for vehicles displaying dealers plates. The bill also repeals the portion of Section 61-12-206 which authorized arrest power for violations of the permit.

The permit, used by Dealers, is in lieu of a G.V.W. license while trucks and trailers are being demonstrated to prospective purchasers for a period of up to seven days.

The 1973 Legislature amended the present law to exempt vehicles with a gross weight of less than 24,000 pounds from the requirement to have the permit or a G.V.W. license. As a result, there are now relatively few permits issued and income is minimal.

Income from this permit prior to the change in 1973 ranged from \$3,000 to \$4,000 per year. Since 1973 the income has declined to a low of \$712 (89 permits) in 1980. Estimated loss of revenue will be about \$1,000 each year.

In view of the minimal income, the cost of administration and few enforcement problems as a result of the 1973 amendment, the Department is requesting that the provisions for this permit be repealed. The request has been discussed by the Department of Highways with the Department of Justice, Motor Vehicle Division, and they have no problem with this change.

Representatives of the Department are here for additional testimony or questions from the committee.

Senator Etchart asked if there were any other proponents to SB304.

Don Copley, Dept. of Highways, concurred in what Senator Hazelbaker had to say and said the department feels the permit is no longer necessary.

Senator Etchart asked if there were any opponents to SB304. There were none.

Senator Etchart asked if there were any questions from the committee. There were none.

The hearing on SB 304 was closed.

ACTION ON HOUSE BILL NO. 253:

Senator Tveit made the motion that HB253 Be Concurred In. All Senators present voting aye. The motion carried.

ACTION ON HOUSE BILL NO. 255:

Senator Healy made the motion that we cut the distance from 300 feet to 200 feet.

Senator Elliott made a substitute motion, that on line 22, after left, insert "other than when passing", and the same insert on Page 2, line 2.

Paul Verdon worked up the following amendment to HB 255:

Page 1, line 22.

Following: "left"

Insert: ",other than when passing,"

February 5, 1981

Page 2, line 2.

Following: "left"

Insert: ",other than when passing,"

The motion on the substitute motion carried with all Senators voting aye.

Senator Elliott made the motion that HB255 as amended be concurred in. All Senators present voting aye, the motion carried.

Senator Elliott will carry this bill on the Senate floor.

ACTION ON SENATE BILL NO. 304:

Senator Hazelbaker made the motion that Senate Bill No. 304 do pass. All Senators present voting aye, the motion carried.

ACTION ON SENATE BILL NO. 293:

Senator Elliott made the motion that Senate Bill No. 293 Do Not Pass.

All Senators present voting; Aye: Senator Etchart, Senator Hager, Senator Hazelbaker, Senator Elliott, Senator Tveit, Senator Manning; No: Senator Graham, Senator Healy. The motion carried.

ADJOURNMENT:

There being no further business the meeting adjourned at 2:30 p.m.



Senator Mark Etchart, Chairman

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2-5-81

NAME	PRESENT	ABSENT	EXCUSED
SENATOR MARK ETCHART	✓		
SENATOR TOM HAGER	✓		
SENATOR FRANK W. HAZELBAKER	✓		
SENATOR ROGER H. ELLIOTT	✓		
SENATOR LARRY J. TVEIT	✓		
SENATOR DAVE MANNING	✓		
SENATOR CARROLL GRAHAM	✓		
SENATOR JACK HEALY	✓		
SENATOR LAWRENCE G. STIMATZ			✓
VERDON - Legislative Council	✓		

Each day attach to minutes.

NAME:

DATE: _____

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

*Don't
forget
to
sign*

THIS AMENDMENT OF SECTION 61-8-336 SIMPLY INCREASES THE DISTANCE WHICH DRIVERS ARE REQUIRED TO SIGNAL TO ~~100~~³⁰⁰ FEET IN RURAL AREAS. THE NEED FOR THIS INCREASE SHOULD BE APPARENT AS A VEHICLE TRAVELING AT 55 MPH COVERS 82½ FEET PER SECOND. UNDER THE EXISTING REQUIREMENT OF SIGNALLING FOR 100 FEET THE ONCOMING DRIVER WOULD, IF HE WAS LUCKY, SEE PERHAPS ONE BLINK OF THE SIGNAL. THE HIGHWAY PATROL INDICATES THAT THIS IS A LARGE FACTOR IN RURAL ACCIDENTS WHICH INVOLVE TURNS INTO DRIVEWAYS OR CROSSROADS.

CAPTAIN WALTER MILLER WILL TESTIFY



Department of Justice

MONTANA HIGHWAY PATROL

303 N. Roberts, Helena, Montana 59601 406-449-3600



23
January
1981

The Honorable Paul K. Kropp
House of Representatives Chambers
State Capitol
Helena, MT 59620

Dear Representative Kropp:

As requested at the committee hearing on House Bill 255, I researched the turn signal laws of the other states. Most states require a signal to be given for a minimum of 100 feet; the exceptions are:

Alaska	- 100 feet under 35 mph, 300 feet over 35 mph
California	- 100 feet (driver's manual recommends signal for 5 seconds at highway speeds)
Colorado	- Urban and metropolitan areas 100 feet, elsewhere over 40 mph 200 feet
Illinois	- 100 feet urban, 200 feet rural
Indiana	- 200 feet under 50 mph, 300 feet over 50 mph
Iowa	- 100 feet under 45 mph, 300 feet over 45 mph
Nebraska	- 500 feet on Interstate highways, elsewhere 50 feet
North Carolina	- 100 feet under 45 mph, 200 feet over 45 mph

Respectfully,

Walter D. Miller, Captain
Administrative Services Officer
Highway Patrol Bureau

WDM:cco

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2-5-81 Law Bill No. 255 Time _____

NAME	YES	NO
Senator Mart Etchart	✓	
Senator Tom Hager	✓	
Senator Frank Hazelbaker	✓	
Senator Elliott	✓	
Senator Tveit		
Senator Manning		
Senator Graham		
Senator Healy	✓	
Senator Stimatz	<i>present</i>	

Carol Doyle Frasier
CAROL DOYLE FRASIER
 Secretary

Mark Etchart
SENATOR MARK ETCHART
 Chairman

Motion: B. Concurrence in Amendment

(include enough information on motion--put with yellow copy of committee report.)

February 5 1951

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 255

Kropp (Elliott)

Respectfully report as follows: That House Bill No. 255

introduced bill no. 255 be amended as follows:

Page 1, line 22.

Following: "left"

Insert: ",other than when passing,"

Page 2, line 2.

Following: "left"

Insert: ",other than when passing,"

And, as so amended,

DO PASS

BE CONCURRED IN

W.C.